

TIME  
23 March 1987

# Uproar over a Spy

*The Pollard case sparks new U.S.-Israeli tensions*

**F**or Israelis and Americans alike, the heated clash of interests and emotions in the aftermath of the Pollard spy case threatened last week to spin out of control. Despite mounting evidence of U.S. displeasure over the affair, Israeli Prime Minister Yitzhak Shamir stubbornly resisted backing a proposed Israeli investigation into the scandal as long as he could before finally yielding to the growing pressure for a full-scale probe. Shamir's position was that the Pollard case was over and Israel had apologized sufficiently to the U.S., and he seemed bent on dismissing the matter as a "rogue" operation that had been approved by neither Israel's leaders nor its principal intelligence organizations.

U.S. officials, for their part, simmered over what they considered to be Israeli high-handedness. They were especially annoyed that two Israeli principals in the spy operation, instead of being punished

for their roles in the affair, had been given promotions that appeared to reward their efforts. What is at stake now is not the Administration's pending \$3 billion Israeli aid package for next year, which Congress will undoubtedly approve, but a sense that misadventures like the Pollard case could have a long-term corrosive effect on American confidence and trust in Israel.

Perhaps most upset of all, American Jewish leaders displayed unusual impatience and irritation with the Jerusalem government. They were disturbed by its refusal to take responsibility for the actions of Jonathan Jay Pollard, who two weeks ago was sentenced by a U.S. district court in Washington to life imprisonment on charges of spying in Israel's behalf against the U.S. This week a delegation of some 65 American Jewish leaders will arrive in Jerusalem with a blunt message for Prime Minister Shamir and other Israeli leaders: that the Pollard affair threatens to do long-term damage to Israel's vital relationship with the U.S. Nathan Perlmutter, national director of the Anti-Defamation League of B'nai B'rith, provided a fair sample of what the Israelis can expect to hear. "What began in stupidity quickly sank into irresponsibility," he told the *Washington Post* last week. "If this was a rogue operation, it's a fair question for people to ask why Israel has proceeded to promote the rogues."

In Israel, signs of distress over the case were everywhere. Some Israelis felt sorry for Pollard and his wife Anne Henderson-Pollard, who had received a five-year prison sentence. Fearful that their country was deserting devoted friends, a newly formed group called Citizens for

Pollard collected thousands of dollars to help defray the Pollards' legal costs. Said one of the group's organizers, Yehoshua Gilboa: "We were brought up never to leave either wounded or dead behind on the battlefield." But who was the enemy?

A few Israelis tried to justify their government's actions throughout the affair. Speaking on Israeli radio, the right-wing Minister of Industry and Trade, Ariel Sharon, declared, "Israel does not receive from the U.S. all the information it needs; certainly not. If we compare what we gave over the years with what we got, we without doubt gave much more in much more important fields than we received." Said Prime Minister Shamir of the convicted spy: "The State of Israel didn't hire him and didn't assign him espionage missions." As for Pollard, Shamir observed, his plight was a "human problem, maybe a moral problem," but it was "not a problem that the State of Israel must concern itself with."

Early in the week, some Cabinet ministers and Knesset members called on the government to establish a commission of inquiry similar to the one headed by Israel's late Chief Justice, Yitzhak Kahan, in 1982-83 to investigate the massacre of Arabs in the Sabra and Shatila refugee camps in Beirut. Shamir dismissed their demands as "hysterical and unjustified." When former Foreign Minister Abba Eban pressed doggedly for such an investigation, Shamir urged caution. "Certain people generate echoes when they speak," Shamir told Eban, "and hence they should think twice before making a declaration." Later, when Eban announced that the Knesset's seven-member intelligence subcommittee would proceed with an inquiry of its own, Shamir for a time considered forbidding government officials to testify before it. The Cabinet subsequently promised to cooperate.

The Prime Minister's opposition to a full-scale probe was supported initially by the two ranking Labor Party members in the ruling coalition. Foreign Minister Shimon Peres and Defense Minister Yitzhak Rabin. Though no love is lost between the three men, Shamir refrained from criticizing officials of the Labor Party for their roles in Iranscam; and Peres and Rabin, both former Prime Ministers, were backing Shamir's position that the less said about Pollard, the better it would be for Israel. That cozy arrangement, made possible by the 30-month-old coalition between Likud and Labor, made some Israelis uncomfortable, and a few wags began to refer to the trio of Prime Ministers as the "Gang of Three."

**B**y midweek, however, as pressure from overseas intensified, the Jerusalem government realized it would have to act. On Wednesday, after meeting for almost eight hours, the ten-member "inner Cabinet" concluded that an independent investigatory committee would have to be appointed, if only to appease the U.S. Accordingly, Shamir at first turned to Moshe Landau, a former Supreme Court justice, to head a two-member panel to look into the Pollard case. Landau promptly declined the invitation, explaining that the committee as constituted would not have the legal authority to do its job properly.

The Prime Minister then appointed Yehoshua Rotenstreich, a prominent Tel Aviv attorney and former head of the Israel Bar Association, to conduct the investigation along with Zvi Tsur, a former armed forces Chief of Staff. Like the Knesset subcommittee, which began its own inquiry last week, the two-member committee will not have the right to compel witnesses to appear, and its conclusions will not be binding on the government.

Despite the appointment of the committee of inquiry, U.S. officials were still pained and perplexed by Israeli behavior in the Pollard affair. Testifying before a congressional committee last week, Secretary of State George Shultz said he was "deeply distressed" by the case, adding that he was disturbed about spying on the U.S. by any friendly country, "and perhaps especially when it's Israel." Pentagon officials said an angry Defense Secretary Caspar Weinberger had told intimates that in his view Pollard's crime was so heinous that "he should have been hanged."

The Reagan Administration has only hinted at the full significance of the 360 cu. ft. of pilfered material that Pollard stole over an 18-month period from the Naval Investigative Service in Suitland, Md., where he worked. But there was no doubt that the theft of the papers, some of which dealt with extremely sensitive matters, had severely compromised U.S. national security. After his sentencing by a federal court in Washington, Pollard was taken to the federal prison in Petersburg, Va., but was quickly moved to another penitentiary in Springfield, Mo., after death threats against him were made by some Petersburg inmates.

Though Israel promised more than a year ago to cooperate with American investigators, it has refused to surrender the overwhelming bulk of the documents that were taken. There is, of course, no way that stolen intelligence material can ever be "recovered," but U.S. agencies still want it all back in order to assess the damage. Furthermore, though Israel promised that members of the "rogue" spy team would be held accountable for their actions, some of the team's members, far from facing punishment, seem to have been rewarded. Rafi Eitan, a coun-

terintelligence expert who ran the Pollard spy ring, was appointed chairman of the board of Israel Chemicals, the country's largest government-owned corporation, thanks to the support of Industry and Trade Minister Sharon. Colonel Aviam Sella, an Israeli war hero who, while attending a graduate course at New York University in 1984, was Pollard's first "handler," was assigned last month to the command of one of Israel's most important military facilities, the Tel Nof air base. At week's end Foreign Minister Peres conceded that the government had probably erred, but only by promoting the two men before Pollard was convicted. Said Peres: "I simply think we made a mistake."

Two weeks ago a federal grand jury in Washington indicted Sella on espionage charges. The officer cannot be extradited to the U.S. to stand trial, but neither will he, as a fugitive from American justice, be allowed to re-enter the U.S. As many as three more indictments of Israelis involved in the Pollard spy case are expected soon. The Pentagon has ordered U.S. officers not to deal directly with Sella or to set foot on the Tel Nof air base as long as Sella is its commander.

American Jewish leaders felt doubly betrayed, because Israel spied so aggressively—and successfully—against the U.S. and because it exploited a dedicated, if flawed, American Zionist to do its dirty work. "What *chutzpah*," wrote New York Times Columnist William Safire, "to expect the U.S. . . . to forgive and forget the corrupting of American citizens that led to a raid on our National Security Agency by a foreign power." Continued Safire: "American supporters of Israel cannot support wrongdoing here or there. In matters of religion and culture, many of those supporters are American Jews, but in matters affecting national interest and ultimate loyalty, the stonewalling leaders of Israel will learn to think of us as Jewish Americans."

Hyman Bookbinder, a longtime leader of the American Jewish Committee, declared, "Many of us feel that what Pollard did was a mistake, wrong, a crime, a sin . . . and what the Israeli officials did was wrong to initiate and even dumber to continue." Even normally pro-Israel U.S. legislators were embarrassed by Pollard's protestations that he had a "moral obligation" to spy for Israel. Such statements, said Florida Democratic Congressman Lawrence Smith, "are deeply distressing to American Jews, particularly those in the Government or close to it." On the other hand, Smith added, "much of the furor comes from circles that would be just as happy if there were not a U.S. relationship with Israel."

**T**he new Israeli commission's first task will be to investigate the Pollard operation thoroughly. Rotenstreich and Tsur, the probers appointed by the Prime Minister, will presumably focus on the state of Israel's intelligence services, plagued as they have

been by an unprecedented series of blunders (*see box*). Some Israelis believe the central problem is that almost four decades after Israel's independence, the country's vaunted security agencies have lost sight of their country's political objectives, of which the most important at the moment is continued close association with the U.S.

Having appointed the investigatory committee under pressure, Shamir insisted at week's end that the government was "committing itself to nothing." But he quickly noted, "There is no doubt that the recommendations of a committee of such importance will be especially serious." The Prime Minister is certain to hear strong support for that sentiment this week from the visiting American Jewish leaders. And Attorney Rotenstreich has already put Shamir on notice: he vowed to the Jerusalem *Post* last week that he would resign if the panel did not receive the full cooperation of the government.

—By William E. Smith.  
Reported by Robert Slater/Jerusalem and Bruce van Voorst/Washington

## Decline of the Superspies

In the shadowy world of cloak-and-dagger spy operations, tiny Israel for years ranked as a world-class player. Agents of MOSSAD, the country's equivalent of the CIA, electrified the world in 1960 by capturing Nazi War Criminal Adolf Eichmann and spiriting him out of Argentina under the noses of authorities. The intelligence network cast by MOSSAD and Shin Bet, Israel's FBI, was so exhaustive in the Middle East that Washington often relied on it for information and analysis. Even when the objectives of Israel's spooks were debatable, their methods virtually defined professionalism and supersecrecy.

Recently, however, Israel's vaunted state-security apparatus seems to have gone amuck. Shin Bet has been under a cloud for some time, but especially since last summer, when its director and three aides were forced to resign amid allegations of complicity in the murders of two captured Arab bus hijackers. In October a technician at Israel's top-secret nuclear complex at Dimona, Mordechai Vanunu, revealed the purported details of the country's nuclear weapons program, never officially acknowledged, in London's *Sunday Times*. He was later reportedly lured to Rome by a female MOSSAD agent and kidnaped. The caper put a strain on Israel's relations with Britain and Italy.

Then came Iranscam and the revelation that two Israeli businessmen, joined by an Israeli antiterrorist adviser attached to the Prime Minister's office, may have instigated—and certainly cooperated in—the sale of U.S. weapons to the militant Islamic regime in Tehran. The renewed furor over the Pollard affair thus not only dragged Israel's most shocking security misfire back into the spotlight but dredged up the whole sorry security mess. The Pollard case, says founding MOSSAD Chief Isser Harel, ranks as "the worst-bungled affair in Israel's history."

What went wrong? For one thing, Israel began conducting some of its intelligence operations outside established channels and out of sight of civilian political scrutiny. Pollard, for example, was "run," at least ostensibly, by a little-known scientific liaison office, called Lakam, in the Defense Ministry. In an interview with the *Jerusalem Post*, Harel called the unit, since disbanded, a "bastard in the intelligence community." Harel also contended that in the past, MOSSAD avoided using Jews of other nationalities as spies, for fear of compromising their communities abroad. "Should we create a situation in which people in the U.S. consider Jews a security risk?" he asks.

Israeli leaders have shown a singular lack of enthusiasm for punishing those responsible for the security scandals. The fired Shin Bet officials were given pardons after acknowledging the allegations against them. Some critics believe the reluctance to demand accountability is part of a continuing cover-up conducted by top political leaders. As in Iranscam, the government got into trouble because it failed to establish firm oversight responsibilities. Says Communications Minister Amnon Rubinstein, a former law professor: "The problem is that the politicians do not exercise the sort of vigilance that we expect of them. What we see is a diminishing of the control of elected bodies over professional bodies."

The government of Prime Minister Yitzhak Shamir plans to take steps toward tightening its control over Israel's intelligence agencies. In the past, the government relied heavily on the "X-Committee," a highly secretive Cabinet group that sometimes reviewed sensitive covert operations. The group fell into disuse in the mid-70s because Israeli leaders thought there was no longer a need to maintain such broad supervision over covert intelligence. Its revival could prove a useful step toward reform, provided the group exercises the political judgment that lately appears to have been lacking in Israeli security matters.



Founding MOSSAD Chief Harel